



March 16, 2007

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## ENGROSSED HOUSE BILL No. 1266

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DIGEST OF HB 1266 (Updated February 12, 2007 7:19 pm - DI 71)

**Citations Affected:** IC 20-12.

**Synopsis:** Twenty-first century scholarships. Provides that a student who is in foster care, or placed in a child caring institution, a group home, or the home of a relative or other unlicensed caretaker: (1) may enroll in the twenty-first century scholars program at any time before the student graduates from high school; (2) is not required to be eligible for free or reduced price lunches to participate; and (3) is not required to have a custodial parent or guardian agree to the student's participation in the program.

**Effective:** July 1, 2007.

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**Avery, Summers, Stutzman, Noe,  
Klinker, Bardon, Dickinson**  
(SENATE SPONSORS — LUBBERS, SIPES, LAWSON C)

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January 11, 2007, read first time and referred to Committee on Family, Children and Human Affairs.

February 1, 2007, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

February 8, 2007, reported — Do Pass.

February 12, 2007, read second time, amended, ordered engrossed.

February 13, 2007, engrossed. Read third time, passed. Yeas 92, nays 0.

SENATE ACTION

February 19, 2007, read first time and referred to Committee on Education and Career Development.

March 15, 2007, amended, reported favorably — Do Pass.

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March 16, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1266

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-12-21-6.3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2007]: **Sec. 6.3. (a) This section applies to an**  
4 **individual who:**

5 (1) **meets the requirements set forth in section 6 of this**  
6 **chapter; and**

7 (2) **before the date that eligibility is determined by the**  
8 **commission, has been placed by or with the consent of the**  
9 **department of child services, by a court order, or by a**  
10 **licensed child placing agency in a foster family home, the**  
11 **home of a relative or other unlicensed caretaker, a child**  
12 **caring institution, or a group home.**

13 (b) **The commission shall consider an individual described in**  
14 **subsection (a) as a full-need student under the commission's rules**  
15 **when determining the eligibility of the individual to receive**  
16 **financial aid administered by the commission under this chapter.**

17 SECTION 2. IC 20-12-70-2 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. **(a)** As used in this chapter, "eligible student" means a student who meets the following requirements:

- (1) Is a resident of Indiana.
  - (2) Is enrolled in grade 8 at a:
    - (A) public **school**; or
    - (B) ~~an accredited~~ nonpublic school **that is accredited by:**
      - (i) **the state board under IC 20-19-2-10; or**
      - (ii) **a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under IC 20-31-4-2.**
  - (3) Is eligible for free or reduced priced lunches under the national school lunch program.
  - (4) Agrees in writing, together with the student's custodial parents or guardian, that the student will:
    - (A) graduate from a secondary school located in Indiana that meets the admission criteria of an institution of higher learning;
    - (B) not illegally use controlled substances (as defined in IC 35-48-1-9);
    - (C) not commit a crime or infraction described in IC 9-30-5;
    - (D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));
    - (E) when the eligible student is a senior in high school, timely apply:
      - (i) to an institution of higher learning for admission; and
      - (ii) for any federal and state student financial assistance available to the eligible student to attend an institution of higher learning; and
    - (F) achieve a cumulative grade point average upon graduation of at least 2.0 on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12.
- (b) The term includes a student who:**
- (1) **before or during grade 7 or grade 8, is placed by or with the consent of the department of child services, by a court order, or by a child placing agency in a foster family home, the home of a relative or other unlicensed caretaker, a child caring institution, or a group home;**
  - (2) **agrees in writing, together with the student's caseworker**

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(as defined in IC 31-9-2-11), to the conditions set forth in subsection (a)(4); and

(3) except for the requirement set forth in subdivision (2), otherwise meets the requirements of this section.

SECTION 3. IC 20-12-70-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 17. (a) This section applies to a student described in section 2(b) of this chapter.

(b) A caseworker shall provide each student to whom the caseworker is assigned information concerning the program at the appropriate time for the student to receive the information and explain the program to the student.

(c) A student who receives information under this section shall sign a written acknowledgment that the student received the information. The written acknowledgment must be placed in the student's case file.

SECTION 4. [EFFECTIVE UPON PASSAGE] (a) Before June 30, 2008, the state student assistance commission shall offer an opportunity to become an eligible student (as defined in IC 20-12-70-2, as amended by this act) to any student who during the 2005-2006 school year or 2006-2007 school year:

(1) met the eligibility criteria set forth in IC 20-12-70-2(a)(2), as amended by this act, as if IC 20-12-70-2(a)(2), as amended by this act, had been in effect at the time; and

(2) was enrolled in grade 8 at a nonpublic school that is accredited by a method set forth in IC 20-12-70-2(a)(2), as amended by this act.

(b) This SECTION expires July 1, 2008.

SECTION 5. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1266, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 18, delete "home or" and insert "**home**".

Page 2, line 19, delete "caretaker;" and insert "**caretaker, or a child caring institution**";.

and when so amended that said bill do pass.

(Reference is to HB 1266 as introduced.)

SUMMERS, Chair

Committee Vote: yeas 11, nays 0.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1266, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

CRAWFORD, Chair

Committee Vote: yeas 20, nays 0.

## HOUSE MOTION

Mr. Speaker: I move that House Bill 1266 be amended to read as follows:

Page 2, line 19, delete "or".

Page 2, line 19, delete "institution;" and insert "**institution, or a group home**";.

(Reference is to HB 1266 as printed February 2, 2007.)

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## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred House Bill No. 1266, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-12-21-6.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 6.3. (a) This section applies to an individual who:**

**(1) meets the requirements set forth in section 6 of this chapter; and**

**(2) before the date that eligibility is determined by the commission, has been placed by or with the consent of the department of child services, by a court order, or by a licensed child placing agency in a foster family home, the home of a relative or other unlicensed caretaker, a child caring institution, or a group home.**

**(b) The commission shall consider an individual described in subsection (a) as a full-need student under the commission's rules when determining the eligibility of the individual to receive financial aid administered by the commission under this chapter."**

Page 1, line 6, after "a" insert ":

**(A)".**

Page 1, line 6, after "public" insert "**school**";

Page 1, line 6, after "or" begin a new line double block indented and insert:

**"(B)".**

Page 1, line 6, strike "an accredited".

Page 1, line 7, delete "." and insert "**that is accredited by:**

**(i) the state board under IC 20-19-2-10; or**

**(ii) a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under IC 20-31-4-2."**

Page 2, line 16, after "(1)" insert "**before or during grade 7 or grade 8,**".

Page 2, line 20, delete "is enrolled in a public or an accredited nonpublic high" and insert "**agrees in writing, together with the student's caseworker (as defined in IC 31-9-2-11), to the conditions set forth in subsection (a)(4);"**

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Page 2, line 21, delete "school;".

Page 2, line 22, delete "requirements" and insert "**requirement**".

Page 2, line 22, delete "subsection (a)(2)" and insert "**subdivision (2),**".

Page 2, line 23, delete "and (a)(3),".

Page 2, line 23, delete "subsection (a)." and insert "**this section.**".

Page 2, delete lines 24 through 38, begin a new paragraph and insert:

"SECTION 3. IC 20-12-70-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 17. (a) This section applies to a student described in section 2(b) of this chapter.**

**(b) A caseworker shall provide each student to whom the caseworker is assigned information concerning the program at the appropriate time for the student to receive the information and explain the program to the student.**

**(c) A student who receives information under this section shall sign a written acknowledgment that the student received the information. The written acknowledgment must be placed in the student's case file.**

SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) Before June 30, 2008, the state student assistance commission shall offer an opportunity to become an eligible student (as defined in IC 20-12-70-2, as amended by this act) to any student who during the 2005-2006 school year or 2006-2007 school year:**

**(1) met the eligibility criteria set forth in IC 20-12-70-2(a)(2), as amended by this act, as if IC 20-12-70-2(a)(2), as amended by this act, had been in effect at the time; and**

**(2) was enrolled in grade 8 at a nonpublic school that is accredited by a method set forth in IC 20-12-70-2(a)(2), as amended by this act.**

**(b) This SECTION expires July 1, 2008.**

SECTION 5. **An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1266 as reprinted February 13, 2007.)

LUBBERS, Chairperson

Committee Vote: Yeas 9, Nays 1.

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